



Patent Application
Attorney Docket No.: 57941.000041
Client Reference No.: RA208.CIP1.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Jared ZERBE et al. : Group Art Unit: 2133
Appln. No.: 09/976,170 : Examiner: J.P. Trimmings
Filed: October 12, 2001 :
For: METHOD AND APPARATUS :
EVALUATING AND OPTIMIZING A :
SIGNALING SYSTEM :

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBTAIN DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT

Sir:

The owner, Rambus Inc., of the entire interest in the instant patent application (as evidenced by the assignment recorded on October 12, 2001, at Reel 012258, Frame 0308) hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant patent application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 and § 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,873,939, the entire interest in the prior patent being owned by said Rambus Inc. (as evidenced by the assignment recorded on February 2, 2001, at Reel 011535,

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Frame 0098). The owner hereby agrees that any patent so granted on the instant patent application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant patent application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to § 156 and § 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

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statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

A check in the amount of \$130.00 is attached to cover the cost of filing this Terminal Disclaimer. Any deficiency or overpayment should also be charged or credited to Deposit Account No. 50-0206.

Respectfully submitted,

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By:

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